

Supplemental Regulations:

The following sections are either new regulations since the adoption and publication of the 2003 sport fishing regulations or corrections made to the regulations that were adopted during the normal process and printed incorrectly.

§27.67. Transport of Recreational Finfish Through a Restricted Fishing Area.

The department may authorize recreational vessels that have finfish in possession that were legally taken within a Rockfish and Lingcod Management Area defined in Section 27.82(b), Title 14, CCR, to transport those finfish through another Rockfish and Lingcod Management Area in which regulations governing the take and possession of those species are different. The permit described in this section is not required for vessels operating entirely within a Rockfish and Lingcod Management Area. Permission shall be granted on an annual permit signed by the Regional Manager of the Department of Fish and Game's Marine Region. To apply for a permit, an owner or operator of a vessel required to obtain a commercial passenger fishing boat license, or a recreational angler shall submit an application for Permit for Transit of Recreational Finfish Through Restricted Fishing Areas (form FG 672 (new 01/01/01) which is incorporated by reference herein), and an annual fee of \$30.00 per year, or \$7.50 for a period of 30 days or less. The permit shall be onboard the vessel when transiting waters closed to sport fishing.

Corrects printing error on page 21 of the 2003 Ocean Sport Fishing regulations booklet.

27.80. Salmon.

(a) Methods of take:

(1) General Provisions. Only by angling as defined in Section 1.05. No sinkers or weights exceeding four pounds may be used, except that a fishing line may be attached to a sinker or weight of any size if such sinker or weight is suspended by a separate line and the fishing line is released automatically by a mechanical device from the sinker or weight when any fish is hooked. See Sections 1.74, 28.65 and 28.70.

(2) Barbless Hooks. No more than two (2) single point, single shank barbless hooks shall be used in the ocean north of Point Conception (34° 27' 00" N. lat.) when salmon fishing or fishing from any boat or floating device with salmon are on board.

(3) Other Hook Restrictions. When fishing with bait in the ocean between Horse Mountain (40° 05' 00" N. lat.) and Point Conception, if angling by any other means than trolling, then no more than two (2) single point, single shank, barbless circle hooks shall be used. The distance between the two hooks must not exceed five inches when measured from the top of the eye of the top hook to the inner base of the curve of the lower hook, and both hooks must be permanently tied in place (hard tied). A circle hook is defined as a hook with a generally circular shape, and a point which turns inwards, pointing directly to the shank at a 90 degree angle. Trolling is defined as angling from a boat or floating device that is making way by means of a source of power, other than drifting by means of the prevailing water current or weather conditions. See Section 28.65 (g).

(4) One Rod Restriction north of Point Conception. Salmon may be taken by angling with no more than one rod in ocean waters north of Point Conception. See Section 28.65 (e).

(b) Season:

(1) South of Pigeon Point (37° 11' 00" N. lat.). All waters of the ocean south of Pigeon Point are open to salmon fishing from March 29, 2003 through September 28, 2003 (Note: In 2004, the season will open April 3, the Saturday nearest April 1).

(2) Between Point Arena (38° 57' 30" N. lat.) and Pigeon Point. All waters of the ocean between Point Arena and Pigeon Point are open to fishing from April 12, 2003 through November 9, 2003 (Note: In 2004, the season will open April 17, the Saturday nearest April 15).

(3) Between Horse Mountain and Point Arena. All waters of the ocean between Horse Mountain and Point Arena are open to salmon fishing from February 15, 2003, the Saturday nearest February 15, through November 16, 2003, the Sunday nearest November 15 (Note: In 2004, the

season will open February 14, the Saturday nearest February 15).

(4) North of Horse Mountain and Humboldt Bay. All waters of the ocean north of Horse Mountain and Humboldt Bay are open to salmon fishing from May 17, 2003 through September 14, 2003 (Note: In 2004, the season will be decided in April by the Pacific Fishery Management Council and California Fish and Game Commission and the section will be amended pursuant to the regulatory process).

EXCEPTION: The ocean area surrounding the Klamath River mouth bounded on the north by 41° 38' 48" N. lat. (approximately 6 nautical miles north of the Klamath River mouth), on the south by 41° 26' 48" N. lat. (approximately 6 nautical miles south of the Klamath River mouth), and extending 3 nautical miles offshore is closed to salmon fishing between August 1 and August 31. No salmon may be taken at any time in ocean waters at the mouths of the Smith and Klamath rivers and during August and September at the mouth of the Eel River. See Section 27.75.

(c) Limit:

(1) North of Horse Mountain: Two salmon per day. See subsection (c)(3) below and Section 1.17.

(2) South of Horse Mountain: Two salmon per day. See subsection (c)(3) below and Section 1.17.

(3) Statewide Silver (coho) Salmon Restrictions: No silver (coho) salmon may be retained.

(d) Minimum size:

(1) North of Horse Mountain: Twenty inches total length.

(2) South of Horse Mountain: Twenty-four inches total length through April 30 and twenty inches total length thereafter. (Note: In 2004, the season will open with a minimum size of twenty-four inches total length).

Adopted 4-04-03; amendment filed 5-01-2003; operative 5-1-2003

§27.82. Management Areas Defined; Closed and Open Periods Defined.

(a) Cowcod Conservation Areas means both Area 1 and Area 2: Area 1 is an area south of Point Conception that is bound by straight lines connecting the following points in the order listed:

33°50' N. lat., 119°30' W. long.;

33°50' N. lat., 118°50' W. long.;

32°20' N. lat., 118°50' W. long.;

32°20' N. lat., 119°37' W. long.;

33°00' N. lat., 119°37' W. long.;

33°00' N. lat., 119°53' W. long.;

33°33' N. lat., 119°53' W. long.;

33°33' N. lat., 119°30' W. long.;

33°50' N. lat., 119°30' W. long.;

and Area 2 is a smaller area west of San Diego that is bound by straight lines connecting the following points in the order listed:

32°42' N. lat., 118°02' W. long.;

32°42' N. lat., 117°50' W. long.;

32°36' 42" N. lat., 117°50' W. long.;

32°30' N. lat., 117°53'30" W. long.;

32°30' N. lat., 118°02' W. long.;

32°42' N. lat., 118°02' W. long.;

(b) Rockfish and lingcod management areas are as follows: Northern Rockfish and Lingcod Management Area means ocean waters between the Oregon/California border and 40° 10' N. lat (near Cape Mendocino, Humboldt County); the Central Rockfish and Lingcod Management Area means ocean waters between 40° 10' N. lat. and Point Conception, Santa Barbara County (at 34° 27' N. lat.); and the Southern Rockfish and Lingcod Management Area means ocean waters between Point Conception and the U.S./Mexico border including the Cowcod Conservation Areas.

(c) Rockfish and lingcod closure periods, except as provided in subsection (d), are as follows: Northern Rockfish and Lingcod Closure Period means the closure time period which commences following the date that the harvest guideline for canary or yelloweye rockfish established in regulation by the National Marine Fisheries Service has been reached or is projected to be exceeded and the fishery is closed pursuant to subsection (g) of this Section. Central Rockfish and Lingcod Closure Period means January-December, inclusive, and Southern Rockfish and Lingcod Closure Period means January-December, inclusive.

(d) During rockfish and lingcod closures specified in subsection (c), fishing for and possession of RCG complex species as defined in Section 1.91 (excluding bocaccio, canary, yelloweye rockfish, and cowcod), California scorpionfish, ocean whitefish and lingcod is allowed in the following areas and time periods, and is otherwise prohibited:

(1) In the Northern Rockfish and Lingcod Management Area, during January - December, inclusive, except only in waters less than 27 fathoms in depth along the mainland coast and around offshore rocks (excluding reefs and banks) commencing the day following a fishery closure implemented pursuant to subsection (c) of this Section;

(2) In the Central Rockfish and Lingcod Management Area, in waters less than 20 fathoms in depth along the mainland coast and around offshore islands and rocks (excluding reefs and banks) during July-December, inclusive;

(3) In the Southern Rockfish and Lingcod Management Area along the mainland coast and around offshore islands and rocks (excluding reefs and banks) in waters less than 20 fathoms in depth during July and August, and along the mainland coast and around offshore islands and rocks (excluding reefs and banks) in waters less than 30 fathoms in depth during September-December, inclusive, [see subsection (f) for restrictions in Cowcod Conservation Areas].

(4) In the Central and Southern Rockfish and Lingcod Management Areas California scorpionfish may be taken and possessed in waters less than 20 fathoms in depth along the mainland coast and around offshore islands and rocks during January-February and in waters less than 50 fathoms in depth along the mainland coast during the months of July and August in the area bound by the mainland shore, a line extending due south true from Point Fermin in Los Angeles County, and a line extending due west true from Newport South Jetty in Orange County (waters less than 50 fathoms deep in the area east of a line extending due south true from Point Fermin located at 33° 42' 30" N. latitude, 118° 17' 30" W. longitude; and north of a line extending due west true from Newport South Jetty located at 33° 35' 37" N. latitude, 117° 52' 50" W. longitude).

(e) At no time may lingcod, ocean whitefish, RCG complex species as defined pursuant to Section 1.91, and California scorpionfish be taken or possessed except as provided in subsections (c) and (d) of this Section.

(f) At no time may California sheephead, lingcod, cabezon, kelp or rock greenlings, California scorpionfish, rockfish, or ocean whitefish be taken or possessed while fishing in water 20 fathoms or greater in depth in the Cowcod Conservation Areas.

(g) When the department determines, based on the best available scientific information, that an annual harvest limit (harvest guideline) established in regulation by the National Marine Fisheries Service for lingcod, rockfish, or a subgroup of rockfish, and/or California scorpionfish, in the California recreational fishery has been exceeded or is projected to be exceeded prior to the end of the year, the department may close the recreational fishery for lingcod, rockfish, a subgroup of rockfish, and/or California scorpionfish in all or part of the Northern, Central, or Southern Rockfish and Lingcod Management areas [see Section 27.82(b)], depending on the level of lingcod, rockfish, a subgroup of rockfish, and/or California scorpionfish, catch in each area, for the balance of the calendar year.

(h) The department shall give the public and the National Marine Fisheries Service no less than 10 days notice of any fishery closure implemented pursuant to this Section via a department news release.

Amendments adopted as an emergency on 8-1-2003, effective 9-1- 2003.. A Certificate of Compliance must be transmitted to OAL by 12-30-2003 or emergency language will be repealed by operation of law on the following day.

§27.83. California Rockfish Conservation Area.

California Rockfish Conservation Area (CRCA) for the purposes of recreational fishing means ocean waters south of 40°10' N. lat. (near Cape Mendocino) to the U.S./Mexico International Border within the depth zones and areas specified in subsection (a)(1) and (2).

(a) CRCA depth zones are as follows:

(1) From 40°10' N. lat., near Cape Mendocino south to the U.S.-Mexico border the CRCA includes ocean waters 20 fathoms and deeper, except that during September through December 2003 in waters from Point Conception, Santa Barbara County, (at 34°27' N. lat.) south to the U.S.-Mexico border, the CRCA includes ocean waters approximately 30 fathoms and deeper described in federal regulations by a series of straight lines between "way points" available from the National Marine Fisheries Service [see subsection (a)(2) below for Cowcod Conservation Areas].

(2) The CRCA does not include the Cowcod Conservation Areas (CCAs) for purposes of these depth zones, except that the provision of subsections (c) through (e) shall apply in the CCAs. (see subsections 27.82(a) and (f), Title 14, California Code of Regulations).

(b) Species Restrictions. Except as provided below, the take and possession of the following species is prohibited in the CRCA: all species of rockfish (*Sebastes spp.*), lingcod (*Ophiodon elongatus*), California scorpionfish (*Scorpaena guttata*), and ocean whitefish (*Caulolatilus princeps*) except that these species may be possessed aboard vessels transiting the area with no fishing gear in the water.

(c) Definitions.

(1) Highly migratory species are defined pursuant to Section 1.49, Title 14, CCR.

(2) Coastal pelagic species are defined pursuant to Section 1.39, Title 14, CCR.

(3) Salmon are defined pursuant to Section 1.73, Title 14, CCR.

(4) Squid jig means: a multi-pronged barbless hook with a 2-3 inch long, 1/4 to 3/4 inch thick, sometimes brightly-colored shank commonly used to catch coastal pelagic species.

(5) Downrigger means: a device used to deploy one or more fishing lines (via a spool, davit, main line, and terminal weight) each with a terminal hook or lure to a desired depth in the water column and that uses a clip to hold each fishing line in place until a fish takes the terminal hook or lure at which time the fishing line pulls free of the clip.

(6) No. 2 hook means: a fishing hook with a gap between the hook point and the shank at its closest point of 7/16 inch.

(7) Federal regulation means: the federal groundfish regulations that are found at 50 CFR (*Code of Federal Regulations*) parts 600 and 660 or as amended through proposed and final rules and published in the Federal Register, and; the federal groundfish regulations published in the Federal Register as the annual specifications and management measures or as amended through inseason actions or corrections.

(d) Gear restrictions. Except as provided in subsection (e) below, the following fishing gear types or sizes are prohibited for use or possession aboard any vessel with one or more persons aboard taking fish under authority of a sport fishing license except that possession is allowed if the vessel is underway or transiting the CRCA or CCAs with no gear in the water: all types of hook and line gear with more than one hook or lure and more than 6 ounces of weight attached.

(e) Gear type and species exceptions as they apply to the CRCA and CCAs are as follows:

(1) When fishing for salmon, see Sections 27.80 and 28.65, Title 14, CCR.

(2) An additional hook (sliding or fixed) and downriggers with up to 5 pounds of weight may be used when trolling for species other than salmon.

(3) Up to 2 hooks and up to 1 pound of weight may be used when drifting for highly migratory species, California halibut, or yellowtail (*Seriola lalandi*).

(4) Up to 12 No. 2 or smaller hooks and up to 2 pounds of weight may be used when fishing for sanddabs or coastal pelagic species.

(5) There is no limit of the number of squid jigs that may be used on a line.

(6) Fishing is allowed for California scorpionfish (sculpin) in waters less than 50 fathoms in depth during the months of July and August in the area bound by the mainland shore, a line extending due south true from Point Fermin in Los Angeles County, and a line extending due west true from Newport South Jetty in Orange County (waters less than 50 fathoms deep in the area east of a

line extending due south true from Point Fermin located at 33°42'30" N. lat., 118°17'30" W. long. and north of a line extending due west true from the Newport South Jetty located at 33°35'37" N. lat., 117°52'50" W. long.).

Amendment adopted as an emergency 8-1-2003; operative 9-1-2003. A Certificate of Compliance must be transmitted to OAL by 12-30-2003 or emergency language will be repealed by operation of law on the following day.

§28.65. General.

Except as provided in this article, fin fish may be taken only on hook and line or by hand. Any number of hooks and lines may be used in all ocean waters and bays except:

- (a) San Francisco and San Pablo bays between the Golden Gate Bridge and the west Carquinez Bridge, where only one line with not more than three hooks may be used.
- (b) On public piers, no person shall use more than two rods and lines, two hand lines, or two nets, traps or other appliances used to take crabs.
- (c) When rockfish (genus *Sebastes*) or lingcod (*Ophiodon elongatus*) are aboard or in possession, where only one line with not more than two hooks may be used pursuant to sections 28.55 or 28.27, respectively.
- (d) No gaff hook shall be used to take or assist in landing any fin fish shorter than the minimum size limit. For the purpose of this section a gaff hook is any hook with or without a handle used to assist in landing fish or to take fish in such a manner that the fish does not take the hook voluntarily in its mouth. No person shall take fin fish from any boat or other floating device in ocean waters without having a landing net in possession or available for immediate use to assist in landing undersize fish of species having minimum size limits; the opening of any such landing net shall be not less than eighteen inches in diameter.
- (e) North of Point Conception (34°27'00"N. lat.), where only one rod and line may be used by each angler fishing for salmon, or fishing from any boat or floating device with salmon on board.
- (f) Mousetrap gear prohibited: It is unlawful to use, assist in using, or to possess aboard any vessel, hook-and-line gear commonly termed "mouse traps" constructed of a hook(s) or lure(s), attached to one end of a line that is attached to a float, or floats at the other end, and that when fished, is not attached directly to a person or vessel. Possession of such gear aboard a vessel shall be prima facie evidence that the gear is being used in violation of this regulation.
- (g) North of Point Conception to Horse Mountain, Section 27.80(a)(3) applies to each angler fishing for salmon or fishing from any boat or floating device with salmon on board.

Corrects printing error on page 28 of the 2003 Ocean Sport Fishing regulations booklet.